

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0102687; AI 42610; PER20020001** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Natural Resources Recovery, Inc.
 Ronaldson Field
 7388 Highland Road, Suite E
 Baton Rouge, LA 70808

- II. **PREPARED BY:** Eura DeHart

- DATE PREPARED:** June 25, 2008

- III. **PERMIT ACTION:** reissue LPDES permit LA0102687, AI 42610; PER20020001

 LPDES application received: July 19, 2002

 EPA has not retained enforcement authority.

 LPDES permit issued: January 20, 1998
 LPDES permit expired: January 19, 2003

By the authority of edict LA R.S. 30:2001, *et seq.*, and the Environmental Regulatory Code, Part IX, Water Quality Regulations, this Office shall cancel the authorization to discharge sanitary wastewater under LAG531162 in its entirety issued on February 1, 2008 upon issuance of this LPDES permit.

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of contact stormwater and treated sanitary wastewater from the Ronaldson Field Facility, a construction/demolition debris landfill.

- B. The facility is located approximately 0.8 miles west of the intersection of La. Hwy 19 and Rafe Mayer Road in Baton Rouge, East Baton Rouge Parish.

- C. The treatment facilities consist of a detention pond for treatment of landfill wastewater and an aerated sewage treatment plant with disinfection by chlorination for treatment of the sanitary wastewater.

- D. Outfall 001

 Discharge Location: Latitude 30° 33' 58" North
 Longitude 91° 11' 5" West

 Description: landfill wastewater

 Expected Flow: 0.03 MGD

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Outfall 002

Discharge Location: Latitude 30° 33' 59" North
Longitude 91° 11' 7" West

Description: treated sanitary wastewater

Expected Flow: 713 GPD

V. RECEIVING WATERS:

The discharge is by open ditch into Cypress Bayou, thence into the Comite River, thence into the Amite River\ in segment 040103 of the Lake Pontchartrain Basin. This segment is listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 040103 of the Lake Pontchartrain Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment 040103	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Not Supported	Not Supported	Full	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 040103 of the Lake Pontchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 040103 of the Lake Pontchartrain Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the gulf sturgeon, which is listed as a threatened/endangered species. This draft permit has been sent to the FWS for review. As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and after consultation with FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse affect upon the gulf sturgeon since effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

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VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mr. Eura DeHart
Water Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Subsegment 040103, Comite River-Entrance of White Bayou to Amite River, is listed on LDEQ's Final 2006 303(d) List as impaired for pathogen indicators. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL.

Pathogen Indicators

To protect against high levels of pathogenic organisms in the receiving waterbody, fecal coliform limits have been established for sanitary wastewater outfall (Outfall 002) in the permit.

Final Effluent Limits:

Outfall 001:

The limitations for the permit are based on effluent parameters found at 40 CFR, Part 445, Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Landfills Point Source Category, the LPDES Construction/Demolition Debris and Woodwaste Landfills General Permit (LAG780000), the LPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activities, Sector L (LAR050000), and the previous LPDES permits for the facility.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

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Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
BOD ₅	37 mg/l	140 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
TSS	27 mg/l	88 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
TOC	---	50 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May 2006) & Construction/Demolition Debris and Woodwaste Landfill (October 2007)
Oil and Grease	---	15 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May 2006) & Construction/Demolition Debris and Woodwaste Landfill (October 2007)
Iron, Total Recoverable	---	1.0 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May 2006) & Construction/Demolition Debris and Woodwaste Landfill (October 2007)
Ammonia – Nitrogen	4.9 mg/l	10 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
a-Terpineol	0.016 mg/l	0.033 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
Benzoic Acid	0.071 mg/l	0.12 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
p-Cresol	0.014 mg/l	0.025 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
Phenol	0.015 mg/l	0.026 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
Zinc (Total)	0.11 mg/l	0.2 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category
Lead (Total)	---	0.15 mg/l	Previous LPDES Permit LA0102687
Mercury (Total)	---	0.01 mg/l	Previous LPDES Permit LA0102687
Copper (Total)	---	0.5 mg/l	Previous LPDES Permit LA0102687

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses BOD₅ and TSS in terms of concentration.

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Other Effluent Limitations:**1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time in accordance with LAC 33:IX.5905.C.

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

Outfall 002:

The limitations for Outfall 002 are based on effluent parameters found in LPDES Class I Sanitary Discharge General Permit (LAG530000), December 2007.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
BOD ₅	30 mg/l	45 mg/l	LPDES Class I Sanitary Discharge General Permit (December 2007)
TSS	30 mg/l	45 mg/l	LPDES Class I Sanitary Discharge General Permit (December 2007)

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses BOD₅ and TSS in terms of concentration.

Other Effluent Limitations:**1) Fecal Coliform**

The discharge from this facility is into a waterbody which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.a., the fecal coliform standards for this waterbody are 200/100ml and 400/ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the waterbody standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time in accordance with LAC 33:IX.5905.C.

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

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X. PREVIOUS PERMITS:

LPDES Permit No. LA0102687: Issued: January 20, 1998
 Expired: January 19, 2003

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/month	Estimate
TOC	---	50 mg/l	1/month	Grab
Oil & Grease	---	15 mg/l	1/month	Grab
Visible Sheen	---	No Presence	1/day	Observation
Lead, Total	---	0.15 mg/l	2/year	Grab
Mercury, Total	---	0.01 mg/l	2/year	Grab
Copper, Total	---	0.5 mg/l	2/year	Grab
Zinc, Total	---	1.0 mg/l	2/year	Grab
pH	6.0 (min)	9.0 (max)	1/month	Grab

LPDES Permit No. LAG531162: Issued: February 1, 2008
 Expires: November 30, 2012

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	---	Report	1/12 months	Estimate
BOD ₅	---	45 mg/l	1/12 months	Grab
TSS	---	45 mg/l	1/12 months	Grab
Fecal Coliform Colonies	200	400	1/12 months	Grab
pH	6.0 (min)	9.0 (max)	1/12 months	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates the most recent inspection of the facility was performed on May 6, 2008. The following was noted:

The landfill cover application log show that the waste was last covered on April 15, 16, & 17. The waste rejected log and waste accepted log were reviewed. Access roads to the working face were adequate. Mr. Colman explained that there is never a day when there is no waste exposed at the facility. When one tipping area has been receiving waste for approximately 30 days, waste is no longer received in that tipping area and cover is applied. A new tipping area is immediately created when the old tipping area stops receiving waste so that cover can be applied.

The cover application log shows that no cover was applied during the month of February 2008. The log gives the reason that it was a rainy month.

B) Compliance and/or Administrative Orders

A review of the files indicates there are no recent enforcement actions administered against this facility.

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C) DMR Review

A review of the discharge monitoring reports for the period beginning March 1, 2006 through March 31, 2008 has revealed the following violations:

Parameter	Outfall	Period of Excursion	Permit Limit	Reported Quantity
TOC	001	August 2006	50 mg/l	149 mg/l
TOC	001	October 2006	50 mg/l	53.3 mg/l

XII. ADDITIONAL INFORMATION:

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

In accordance with LAC 33:IX.2903, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

The requirements of Part II, Section B apply to stormwater discharges associated with industrial activity as defined in LAC 33:IX.2511.B.14.i and Sector L of the LPDES Multi-Sector Stormwater Permit LAR050000. These apply to point source stormwater discharges associated landfills. Therefore, the Ronaldson Field Facility will be required to develop a Stormwater Pollution Prevention Plan to be effective six months from the effective date of the permit.

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** for this facility are show below:

Outfall 001:Effluent CharacteristicsMonitoring Requirements

	<u>Measurement</u>	<u>Sample</u>
	<u>Frequency</u>	<u>Type</u>
Flow	1/month	Measure
BOD ₅	1/month	Grab
Total Suspended Solids	1/month	Grab
Ammonia-Nitrogen	1/month	Grab
TOC	1/month	Grab

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Oil & Grease	1/month	Grab
Total Recoverable Iron	1/month	Grab
a-Terpineol	1/month	Grab
Benzoic Acid	1/month	Grab
p-Cresol	1/month	Grab
Phenol	1/month	Grab
Zinc, Total	1/month	Grab
Lead, Total	1/6 months	Grab
Mercury, Total	1/6 months	Grab
Copper, Total	1/6 months	Grab
Dissolved Oxygen	1/month	Grab
pH	1/month	Grab

Outfall 002:Effluent CharacteristicsMonitoring Requirements

	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	1/6 months	Estimate
BOD ₅	1/6 months	Grab
Total Suspended Solids	1/6 months	Grab
Fecal Coliform Bacteria	1/6 months	Grab
pH	1/6 months	Grab

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Natural Resources Recovery, Inc., Ronaldson Field, July 19, 2002.